

**UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BARBARA ANDERSEN,) Case No. 1:20-CV-00553-JFR
)
Plaintiff,)
)
vs.)
)
UNKNOWN DEFENDANT, AND)
FORREST FENN,)
)
Defendants.

REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER

COMES NOW SOMMER KARNES & ASSOCIATES, LLP (Karl H. Sommer) on behalf of Forrest Fenn, deceased. On August 31, 2020, the undersigned filed a Motion for Protective Order (Doc. 17). On September 3, 2020, Plaintiff filed a Response to the Motion for Protective Order (Doc. 18). On September 10, 2020, the undersigned filed a Statement Noting Death (Doc. 21), as Forrest Fenn died suddenly and unexpectedly on September 7, 2020. Normally, a reply to Plaintiff's Response would be due on September 17, 2020. However, Mr. Fenn's death leaves no person available to reply, or for that matter, to further respond to the subpoena. The undersigned advises the Court that appropriate arrangements are being made for the appointment of a personal representative, but that has not occurred and likely will not occur for at least forty-five (45) days. It appears that Plaintiff will have to either serve the personal representative with a new subpoena or wait until the personal representative is substituted in this case for Mr. Fenn. However, this Reply incorporates by reference all of the grounds stated in the Motion for a Protective Order (Doc. 17) in order to preserve the rights of the to-be-formed estate of Forrest Fenn.

Respectfully submitted,

SOMMER KARNES & ASSOCIATES, LLP

Attorneys for Defendant Fenn

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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing Motion was submitted and served via email this 17th day of September, 2020 to Plaintiff:

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/s/ Karl H. Sommer
Karl H. Sommer